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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,038	07/24/2006	Frank-Uwe Sommer	37934-233415	3177
26694	7590	12/21/2010	EXAMINER	
VENABLE LLP			WILSON, BRIAN P	
P.O. BOX 34385			ART UNIT	
WASHINGTON, DC 20043-9998			PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/587,038

Applicant(s)

SOMMER ET AL

Examiner

Brian Wilson

Art Unit

2612

Period for Reply
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-5 and 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-945)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/04/2010 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5 and 20-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mlynarczyk (U.S. Patent 7,145,434) in view of Larson (U.S. Patent 5,245,652) and further in view of Goci (U.S. 2003/0195798).

Regarding claim 1, Mlynarczyk discloses a programming apparatus for transmitter/receiver systems for actuation of doors/gates (met by Fig. 14), wherein each transmitter/receiver includes at least one transmitter and associated receiver (met by Fig. 14; 110, 122) for actuation of a door or gate by one of the transmitters of a transmitter/receiver system, a transmitter code is read into the associated receiver and compared with receiver codes (met by Fig. 14; 110 & Col. 7, lines 14-22), the programming apparatus comprising: a computer unit for

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management of the transmitter codes of the transmitter/receiver system, the receiver codes of the transmitter/receiver system, and a list of codes from which the receiver codes can be selected (met by Fig. 14; 130) & Fig. 5); an input unit coupled to the computer unit (met by Fig. 14; 132), the input unit comprising a display unit (met by Fig. 14; 128; display), wherein the display unit displays the transmitter codes and the receiver codes stored in the computer unit (met by Fig. 5), wherein the input unit is operative to receive a list of codes from which the receiver codes are selectable from the computer unit and to display the list of codes from which the receiver codes are selectable (met by Fig. 5; 22, 31, 32 & Fig. 3; 19 & Col. 4, lines 19-30; sorted by which users can or cannot access certain locks); wherein the input unit is operative to receive a user selection of a first displayed receiver code from the displayed list of codes from which the receiver codes are selectable and is operative to assign a first transmitter code for a first transmitter to be the same as the selected first displayed receiver code (met by Fig. 5; 31, 32, 22; users/keys selected lock has access to), wherein the input unit is operative to receive a user selection of a second displayed receiver code from the displayed list of codes from which the receiver codes are selectable and is operative to assign a second transmitter code for a second transmitter to be the same as the selected second displayed receiver code (met by Fig. 3; 22 compared to Fig. 5; 22; any other user/key can be selected by the input unit because the first selection has been removed/blocked), wherein the first and second displayed receiver codes are different (met by Fig. 3; 22 compared to Fig. 5; 22; second user/key selection has to be different), wherein the computer unit and the display unit are operative to remove the first displayed receiver code in the displayed list of codes from which the receiver codes are selectable once it has been selected and block the removed first receiver code from being further issued as a second transmitter code (met

by Fig. 5); and interface unit coupled to the computer unit (met by Fig. 14; 132), wherein the selected receiver codes and the assigned transmitter codes are issued from the computer to the receivers and transmitters via the interface unit (met by Col. 7, lines 1-4; the assigned transmitter codes are issued from the computer via 132, however, the selected receiver codes are issued via the key & Col. 1, lines 7-22).

However, Mlynarczyk does not specifically disclose a programming apparatus for transmitter/receiver systems for contactless actuation of doors/gates; wherein the computer unit and the display unit are operative to mask the first displayed receiver code in the displayed list of codes from which the receiver codes are selectable once it has been selected and block the masked first receiver code from being further issued as a second transmitter code; and wherein the selected receiver codes and the assigned transmitter codes are issued from the computer to the receivers and transmitters, respectively, via the interface unit.

Larson teaches a programming apparatus for transmitter/receiver systems for contactless actuation of doors/gates (met by Fig. 1; 18, 16 & Col. 28, lines 1-17 & Col. 11, lines 7-19); and wherein the selected receiver codes and the assigned transmitter codes are issued from the computer to the receivers and transmitters, respectively, via the interface unit (met by Fig. 1; 16). It is obvious have a programming for contactless actuation of doors and gates, and to program the transmitters and receivers through a common interface unit.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the features of Larson into Mlynarczy. This provides a known alternative to Mlynarczyk's contact transmitter/receiver system, and one that can be replaced with and produce predictable results without undue experimentation. Similarly, the addition of

an interface unit that can directly program transmitters and receivers of a system is a known alternative to Mlynarczyk's system, and one that can be replaced with and produce predictable results without undue experimentation.

However, Mlynarczyk in view of Larson does not specifically teach wherein the computer unit and the display unit are operative to mask the first displayed receiver code in the displayed list of codes from which the receiver codes are selectable once it has been selected and block the masked first receiver code from being further issued as a second transmitter code.

Goci teaches masking a selection, and preventing that selection from being chosen again (met by [0024]). It is obvious to highlight/mask a selection and to block that selection from being used again.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the features of Goci into Mlynarczyk in view of Larson. This provides a visual indication to a user that a code has already been selected, and is prevented from being used again. This further provides and a known alternative to Mlynarczyk's removable selection, and one that can be replaced with and produce predictable results without undue experimentation.

Regarding claim 3, Mlynarczyk further discloses wherein a specific identification is associated with the transmitter codes and the receiver codes of a transmitter/receiver system (met by Fig. 1; 5).

Regarding claim 4, the claim is interpreted and rejected as claim 3.

Regarding claim 5, the claim is interpreted and rejected as claim 3.

Regarding claim 20, the claim is interpreted and rejected as claims 1 and 3.

Regarding claim 21, Mlynarczyk further discloses wherein the input unit is operative to delete the receiver codes and/or the transmitter codes (met by Fig. 1; Delete All Users).

Regarding claim 22, the claim is interpreted and rejected as claim 3.

Regarding claim 23, the claim is interpreted and rejected as claim 1.

Regarding claim 24, the claim is interpreted and rejected as claim 1.

Regarding claim 25, the claim is interpreted and rejected as claim 1.

Regarding claim 26, the claim is interpreted and rejected as claim 1.

Regarding claim 27, the claim is interpreted and rejected as claim 1.

Regarding claim 28, the claim is interpreted and rejected as claim 1.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mlynarczykin view of Larson and Goci as applied to claim 1 above, and further in view of Kucharczyk (U.S. Patent 6,696,918).

Regarding claim 29, Mlynarczykin view of Larson and Goci does not specifically teach the interface unit comprises at least one interface for contactless data transmission.

Kucharczyk teaches one interface for contactless data transmission (met by Fig. 3; 40). It is obvious to use either wireless or wired communication interfaces for programming.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the features of Kucharczyk into Mlynarczykin view of Larson and Goci. This provides the ability to remotely program transmitter and receiver systems, and provides a known alternative to programming with wired interfaces and produces predictable results without undue experimentation.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Buckman (U.S. Pub 2003/0176785), Lambrechts (U.S. Patent 6,909,378), Huang (U.S. Patent 6,640,144), Dietz (U.S. Patent 7,069,580) and Barrett (U.S. Patent 5,046,084).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Wilson whose telephone number is 571-270-5884. The examiner can normally be reached on Monday-Thursday from 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BPW/

/Daniel Wu/
Supervisory Patent Examiner, Art Unit 2612